

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES DEVARY

Plaintiff,

v.

NATIONAL SECURITIES CORPORATION
and FORTE CAPITAL GROUP, INC.,

Defendants.

Civil Action No. 21-cv-07869
(JLR)

**DECLARATION OF
ORIT GOLDRING, ESQ.**

I, Orit Goldring, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct:

1. I am an attorney admitted to practice in the State of New York and submit this Declaration in support of Plaintiff's Opposition to Defendant's Motion to Vacate and in Support of Plaintiff's Application for Attorneys' Fees.
2. I am the principal of The Goldring Firm, attorneys for Claimant James DeVary. I am fully familiar with the facts and circumstances set forth below.
3. At the outset of this matter, Mr. DeVary was a fee paying client.
4. Mr. DeVary and I had an agreed upon hourly billing rate of \$600 for my time.
5. The Goldring firm charged Mr. DeVary such rates and he paid them. This has been my rate for numerous other clients since January 2021.

6. Thereafter, Mr. DeVary (for this same matter) requested to change to a contingency fee arrangement and the Goldring Firm obliged.
7. I was admitted to practice law in the State of New York in 2004.
8. I am admitted to practice law before the United States Court of Appeals Second Circuit, the United States District Court for the Southern District of New York, and the United States District Court for the Eastern District of New York.
9. I am the principal of the Goldring Firm which I founded in 2011.
10. Before then, I work for Littler Mendelson, P.C., the largest employment law firm in the world for 6 years.
11. From 2003-2004 I clerked for the Honorable James E. Seibert in the United States District Court for the Northern District of West Virginia.
12. In addition to a JD degree, I obtained a Master of Law (LLM) in Labor and Employment Law from New York University in 2004.
13. I have been named Super Lawyer by New York Super Lawyers each year from 2018 to the present.
14. From 2013-2017, I was named a Rising Star by New York Super Lawyers.
15. I was published in the New York Law Journal for an article titled, Back and Front Pay under Title VII and State, and City laws: For Judge or Jury?
16. I was interviewed by Law 360 (an interview that was published) regarding settling bias claims.

17. I have appeared as a panelist for a labor and employment webinar hosted by LexisNexis.
18. I have substantial experience litigating employment law matters in the Second Circuit, District courts, State Courts, EEOC, New York State Division of Human Rights, New York City Commission on Human Rights, and AAA arbitrations.
19. I have tried cases in federal courts and arbitrations before the AAA.
20. In my experience (almost two decades practicing employment law in Manhattan), \$600/hr is a reasonable rate for an employment attorney with my experience, skill, and expertise in employment law.
21. For the work that I performed opposing Defendant's motion to vacate, I have billed 66.9 hours. For this work, I am seeking attorney's fees of \$40,140.
22. Attached hereto as Exhibit 1 are contemporaneous time records kept by me, accurately recorded by me the same day I performed the work or within a day after. The time entries that I put in specifically state the work that I performed, when it was performed, and the amount of time spent performing the work. I respectfully submit that none of the hours are redundant, excessive, or unnecessary.
23. On June 15, 2023, the underlying FINRA panel's arbitration award was published on the FINRA Portal. An electronic filing a notification system much like ECF. I received notification that the Award was posted on the

portal from FINRA via email on June 15, 2023. That notification is attached hereto as Exhibit 8.

24. Attached hereto as Exhibit 2 is a true and correct copy of the FINRA panel's Arbitration Award in this matter.
25. Attached hereto as Exhibit 3 is a true and correct copy of the Independent Contractor Agreement between Plaintiff and Defendant National Securities Corp.
26. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the hearing transcript in the FINRA arbitration.
27. Attached hereto as Exhibit 5 is a true and correct copy of the Post Hearing Brief submitted by Plaintiff in the FINRA arbitration.
28. Attached hereto as Exhibit 6 is a true and correct copy of the Plaintiff's Statement of Claim in the FINRA arbitration.
29. Attached hereto as Exhibit 7 is a true and correct copy of Defendant Forte Capital Group Inc.'s Submission Agreement.
30. Attached hereto as Exhibit 9 is a true and correct copy of the cited sections of the FINRA Code of Arbitration Procedure For Industry Disputes.

Dated: New York, New York
September 29, 2023

Orit Goldring, Esq.